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By: **Senator Lawlah**  
Introduced and read first time: February 2, 2001  
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **State Police Retirement Systems - Disability Retirements**

3 FOR the purpose of altering the procedures for granting special disability retirement  
4 allowances to certain retirees of the State Police Retirement System; and  
5 generally relating to disability retirement allowances for members of the State  
6 Police Retirement System.

7 BY repealing and reenacting, with amendments,  
8 Article - State Personnel and Pensions  
9 Section 29-111  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 2000 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - State Personnel and Pensions**

15 29-111.

16 (a) This section applies to the State Police Retirement System.

17 (b) The Board of Trustees shall grant a special disability retirement allowance  
18 to a member if:

19 (1) (I) the member is totally and permanently incapacitated for duty  
20 arising out of or in the course of the actual performance of duty without willful  
21 negligence by the member; and

22 [(2)] (II) the medical board certifies that:

23 [(i)] 1. the member is totally incapacitated, either mentally or  
24 physically, for the further performance of duty;

25 [(ii)] 2. the incapacity is likely to be permanent; and

1 [(iii)] 3. the member should be retired; OR

2 (2) (I) THE MEMBER WAS TERMINATED AS UNFIT FOR DUTY ON OR  
3 AFTER AUGUST 1, 1990;

4 (II) THE SECRETARY OF THE STATE POLICE COMPLETED AN  
5 APPLICATION FOR A SPECIAL DISABILITY ON BEHALF OF THE MEMBER UNDER §  
6 29-103(C) OF THIS SUBTITLE OR ARTICLE 88B, § 15(B)(16) OF THE CODE, ON OR BEFORE  
7 APRIL 1, 1993; AND

8 (III) THE BOARD OF TRUSTEES DENIED THE MEMBER A SPECIAL  
9 DISABILITY RETIREMENT ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION,  
10 ON OR BEFORE AUGUST 1, 1995.

11 (c) Except as provided in subsection (d) of this section, a special disability  
12 retirement allowance equals the lesser of:

13 (1) the member's average final compensation; or

14 (2) the sum of:

15 (i) an annuity that is the actuarial equivalent of the member's  
16 accumulated contributions at retirement; and

17 (ii) a pension equal to two-thirds of the member's average final  
18 compensation.

19 (d) (1) This subsection applies to a member who is at least normal  
20 retirement age.

21 (2) A special disability retirement allowance equals the greater of:

22 (i) a normal service retirement allowance; or

23 (ii) a special disability retirement allowance computed in  
24 accordance with subsection (c) of this section.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 2001.